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Afghanistan, Angola, Argentina, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Burkina Faso, Central African Republic, Chile, Colombia, Ecuador, Haiti, Honduras, Indonesia, Kyrgyzstan, Liberia, Mexico, Monaco, Morocco, Panama, Philippines, Senegal, Swaziland, Thailand, Togo and Venezuela (Bolivarian Republic of): revised draft resolution

Trafficking in women and girls

The General Assembly,

Recalling all international conventions that deal specifically with the problem of trafficking in women and girls, such as the Convention on the Elimination of All Forms of Discrimination against Women[1] and its Optional Protocol,[2] the Convention on the Rights of the Child[3] and its Optional Protocol on the sale of children, child prostitution and child pornography,[4] the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,[5] the United Nations Convention against Transnational Organized Crime and its protocols,[6] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children[7] and the Protocol against the Smuggling of Migrants by Land, Sea and Air,[8] as well as previous resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights on the issue,

Reaffirming the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[2] Ibid., vol. 2131, No. 20378.
[3] Ibid., vol. 1577, No. 27531.
[4] Resolution 54/263, annex II.
[5] Resolution 317 (iv), annex.
[6] Resolution 55/25, annexes I-III, and resolution 55/255, annex.
[7] Resolution 55/25, annex II.
[8] Ibid., annex III.

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the Beijing Declaration and Platform for Action[9] adopted by the Fourth World Conference on Women,

Reaffirming also the commitment made by world leaders at the Millennium Summit and the 2005 World Summit to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

Recalling the reports of the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on violence against women, its causes and consequences, as well as the information that deals with trafficking in women and girls contained in the in-depth study of the Secretary-General on violence against women,[10]

Recalling also the publication of the United Nations Office on Drugs and Crime entitled "Trafficking in Persons: Global Patterns", and the attention paid in it to the situation of trafficked women and girls,

Acknowledging the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court,[11] which entered into force on 1 July 2002,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons, to rescue victims as well as provide for their protection and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Recognizing the need for a stronger gender- and age-sensitive approach in all efforts to fight trafficking and protect its victims, taking into account that women and girls are particularly vulnerable to trafficking for the purposes of sexual exploitation, as well as for forced labour or services,

Recognizing also the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

Recognizing further the challenges to combating trafficking in women and girls owing to the lack of adequate legislation and implementation of existing legislation, the lack of availability of reliable sex-disaggregated data and statistics, as well as the lack of resources,

Seriously concerned that an increasing number of women and girls from developing countries and from some countries with economies in transition are being trafficked to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

Concerned about the use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others, for trafficking in

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[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] A/61/122/Add.1.

[11] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: Final documents (United Nations publication, Sales No. E.02.I.5), sect. A.

women as brides, for sex tourism exploiting women and children and for child pornography, paedophilia and any other forms of sexual exploitation of children,

Concerned also about the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children without regard to dangerous and inhuman conditions and in flagrant violation of domestic laws and international standards,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, culture and religion, as well as their origins, and that these forms of discrimination themselves may fuel trafficking in persons,

Noting that some of the demand for prostitution and forced labour is met by trafficking in persons in some parts of the world,

Acknowledging that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information or awareness and recognition of their human rights and by the stigmatization often associated with trafficking, as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights, and that special measures are required for their protection and to increase their awareness,

Recognizing the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recognizing also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong po'itical commitment, shared responsibility and active cooperation of all Governments of countries of origin, transit and destination,

Recognizing further that policies and programmes for prevention, rehabilitation, repatriation and reintegration should be developed through a gender- and age-sensitive, comprehensive and multidisciplinary approach, with concern for the security of the victims and respect for the full enjoyment of their human rights and with the involvement of involving all actors in countries of origin, transit and destination,

Convinced of the need to protect and assist all victims of trafficking, with full respect for their human rights,

1. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the particular problem of trafficking in women and girls, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

2. *Calls upon* Governments to eliminate the demand for trafficked women and girls for all forms of exploitation;

3. *Also calls upon* Governments to take appropriate measures to address the factors that increase vulnerability to being trafficked, including poverty and gender inequality, as well as other factors that encourage the particular problem of trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour, in order to eliminate such trafficking, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

4. *Urges* Governments to devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective and takes into account the situation of trafficked victims, and to draw up, as appropriate, national action plans in this regard;

5. *Also urges* Governments to consider signing and ratifying and States parties to implement relevant United Nations legal instruments, such as the United Nations Convention against Transnational Organized Crime[12] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[7] the Convention on the Elimination of All Forms of Discrimination against Women,[1] the Convention on the Rights of the Child,[3] the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[2] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[4] as well as the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), the Convention concerning Discrimination in respect of Employment and Occupation, 1958 (Convention No. 111) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization;

6. *Encourages* Member States to conclude bilateral, subregional, regional and international agreements, as well as to undertake initiatives, including regional initiatives,[13] to address the problem of trafficking in persons, and to ensure that

[12] Resolution 55/25, annex I.

[13] Such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Coordinated Mekong Ministerial Initiative Against Trafficking, the Action Plan for the Asia-Pacific region of the Asian Regional Initiative against Trafficking in Persons, Especially Women and Children (see A/C.3/55/3, annex), the initiatives of the European Union on a comprehensive European policy and programmes on trafficking in human beings, as expressed most recently in the European Union plan on best practices, standards and procedures for combating and preventing trafficking in human beings, adopted in December 2005, and the activities of the Council of Europe, the Organization for Security and Cooperation in Europe, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Persons, especially Women and Children for Prostitution, the Organization of American States meeting of national authorities on trafficking in persons, the International Labour Organization and the International Organization for Migration in this field.

such agreements and initiatives pay particular attention to the problem of trafficking in women and girls;

7. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation and sex tourism, and to condemn and penalize all those offenders involved, including intermediaries, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, as well as to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

8. *Urges* Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from revictimization as a result of actions taken by Government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence;

9. *Recognizes* the urgent need for broad and concerted cooperation among all relevant actors, including States, intergovernmental organizations and civil society, to counter effectively the threat of trafficking in persons, particularly women and girls;

10. *Invites* Governments to strengthen bilateral, regional and international cooperation aimed at preventing and combating corruption and the laundering of proceeds derived from trafficking, including for purposes of commercialized sexual exploitation;

11. *Also invites* Governments to consider setting up or strengthening a national coordinating mechanism, for example, a national rapporteur or an inter-agency body, with the participation of civil society, including non-governmental organizations, to encourage the exchange of information and to report on data, root causes, factors and trends in violence against women, in particular trafficking;

12. *Encourages* Governments and relevant United Nations bodies, within existing resources, to take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly in women and girls; to discourage, with a view to eliminating, the demand that fosters all forms of exploitation, including sexual exploitation and forced labour; to publicize the laws, regulations and penalties relating to this issue; and to emphasize that trafficking is a serious crime;

13. *Encourages* Governments to take appropriate measures to eliminate sex tourism demand, especially of children, through all possible preventive actions;

14. *Urges* concerned Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources for programmes to strengthen preventive action, in particular education for women and men, as well as for boys and girls, on gender equality, self-respect and mutual respect, and campaigns to increase public awareness of the issue at the national and grass-roots levels;

15. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide comprehensive programmes for the physical, psychological and social recovery of victims of trafficking, including through job training, legal assistance,

including in a language that they can understand, and health care, including for HIV/AIDS, and by taking measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

16. *Encourages* Governments, in cooperation with intergovernmental and non-governmental organizations, to undertake or strengthen campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, as well as information on the risks of irregular migration and the ways and means used by traffickers so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

17. *Also encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement gender- and age-sensitive programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

18. *Calls upon* Governments to take steps to ensure that the treatment of victims of trafficking, as well as all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, pay particular attention to the needs of women and girls and are applied with full respect for the human rights of those victims and are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress, which may include measures that offer victims the possibility of obtaining compensation for damage suffered;

19. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls and that they are supported and assisted, as appropriate, in making complaints to the police or other authorities, without fear, and to be available when required by the criminal justice system, and to ensure that during this time they have access to protection and social, medical, financial and legal assistance, as appropriate;

20. *Also invites* Governments to encourage media providers, including Internet service providers, to adopt or strengthen self-regulatory measures to promote the responsible use of media, particularly the Internet, with a view to eliminating the exploitation of women and children, in particular girls, which could foster trafficking;

21. *Invites* the business sector, in particular the tourism and telecommunications industries, including mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the dangers of trafficking, the rights of trafficked persons and the services available to victims of trafficking;

22. *Stresses* the need for the systematic collection of sex- and age-disaggregated data and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and encourages Governments to enhance information-sharing

and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

23. *Urges* Governments to strengthen national programmes to combat trafficking in persons, especially women and girls, through increased bilateral, regional and international cooperation, taking into account innovative approaches and best practices, and invites Governments, United Nations bodies and organizations, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

24. *Invites* Governments, with the support of the United Nations, when necessary, and other intergovernmental organizations, taking into account best practices, to formulate training manuals and other informational materials and provide training for law enforcement, judicial and other relevant officers, and medical and support personnel, with a view to sensitizing them to the special needs of women and girl victims;

25. *Urges* Governments to provide or strengthen training for law enforcement, judicial, immigration and other relevant officials in the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, which should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from traffickers, to ensure that the training includes human rights and child- and gender-sensitive perspectives, and to encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

26. *Encourages* Governments, relevant intergovernmental bodies and international organizations to ensure that military, peacekeeping and humanitarian personnel deployed in conflict, post-conflict and other emergency situations are provided training on conduct that does not promote, facilitate, or exploit trafficking in women and girls, including for sexual exploitation, and to raise the awareness of such personnel of the potential risks to victims of conflict and other emergency situations, including natural disasters, of being trafficked;

27. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights[14] to include information and statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

28. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a report that compiles successful interventions and strategies, as well as challenges, in addressing the gender dimensions of the problem of trafficking in persons, that identifies gender-related aspects of anti-trafficking efforts that remain unaddressed or inadequately addressed, and that evaluates the measures taken through appropriate indicators; and invites the Secretary-General to take into account in his report the work of Governments, relevant United Nations agencies and mechanisms and other international organizations.

[14] Resolution 2200 A (XXI), annex.